



COPY OF PAPERS
ORIGINALLY FILED

GZ 2065.23

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on February 19, 2002.

Nancy L. Hug
Nancy L. Hug

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:
Susan Schiavi et al.

Serial No.: 09/909,775

Filing Date: July 19, 2001

For: PHOSPHATONIN-RELATED GENE AND
METHODS OF USE THEREOF

Assignee: Genzyme, Inc.

Examiner: To be assigned.

Group Art Unit: To be assigned.

Box: Missing Parts

Commissioner for Patents
Washington, D.C. 20231

**LETTER REGARDING COMPLETION OF RESPONSE TO
NOTICE OF MISSING PARTS**

Sir:

Enclosed herewith to complete Applicant's response to the Notice To File Missing Parts ("Missing Parts") dated September 6, 2001 are the following documents:

- Return Receipt Postcard
- Transmittal Form (1 pg)
- Fee Transmittal (1 pg) (in dup.)
- Exhibit A - Copy of Notice to File Missing Parts (2 pgs);
- Exhibit B - Originally Executed Declaration by Levine and de Beur (2 pgs);
- Exhibit C - Copy of Declaration executed by Schiavi, Madden and Manavalan filed with the USPTO in Partial Response to the Missing Parts on December 6, 2002 (2 pgs);
- Exhibit D - Return Receipt Postcard Date Stamped December 6, 2001; and
- Exhibit E - Petition for Extension of Time (4 mos) (2 pgs) (in duplicate).

Also in response to the Missing Parts dated September 6, 2001, Applicant filed on December 6, 2001 (see Exhibit E) an originally executed declaration by Schiavi, Madden and Manavalan (see Exhibit C and D), a Petition for One Month Extension of Time (see Exhibit D) and a Fee Transmittal (see Exhibit D) authorizing the Commissioner to charge the fees for the

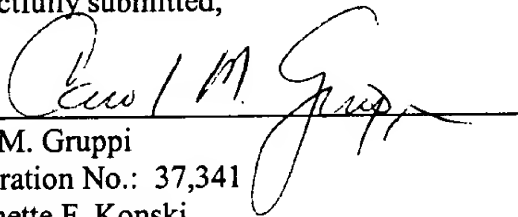
Surcharge for Filing a Late Declaration (\$130.00) and the One Month Extension of Time (\$110.00) to Deposit Account No. 50-1189, Billing No. 19442-7201. Accordingly, Applicant's response to the Missing Parts is now complete.

An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1189, Billing No. 19442-7201.

DATE: February 19, 2002

Respectfully submitted,

By: _____


Carol M. Gruppi
Registration No.: 37,341
Antoinette F. Konski
Registration No.: 34,202

McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4902
Telefax: (650) 849-4800



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL
FORM

(to be used for all correspondence after filing)

Total number of Pages in this submission

13

Application Number	09/909,775
Filing Date	July 19, 2001
First Named Inventor	Susan SCHIAVI
Group Art Unit	1646
Examiner Name	To be assigned
Attorney Docket No.	GZ 2065.23

Box: Missing Parts

Commissioner for Patents
Washington, D.C. 20231

ENCLOSURES (check all that apply)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> FEE TRANSMITTAL FORM
<input type="checkbox"/> FEE ATTACHED | <input type="checkbox"/> ASSIGNMENT PAPERS (COPY)
(FOR AN APPLICATION) | <input type="checkbox"/> AFTER ALLOWANCE
COMMUNICATION TO GROUP |
| <input type="checkbox"/> AMENDMENT/RESPONSE
<input type="checkbox"/> AFTER FINAL
<input type="checkbox"/> AFFIDAVITS' DECLARATION(S) | <input type="checkbox"/> DRAWING(S)
<input type="checkbox"/> LICENSING-RELATED
PAPERS | <input type="checkbox"/> APPEAL COMMUNICATION TO BOARD
OF APPEALS AND INTERFERENCES |
| <input checked="" type="checkbox"/> EXTENSION OF TIME (FOUR-MONTHS)
(EXHIBIT E; 2 PGS. IN DUP.) | <input type="checkbox"/> PETITION ROUTING SLIP
(PTO/SB/60) AND
ACCOMPANYING
PETITION) | <input type="checkbox"/> APPEAL COMMUNICATION TO GROUP
(APPEAL NOTICE, BRIEF, REPLY BRIEF) |
| <input type="checkbox"/> EXPRESS ABANDONMENT REQUEST | <input type="checkbox"/> TO CONVERT A
PROVISIONAL
APPLICATION | <input type="checkbox"/> PROPRIETARY INFORMATION |
| <input type="checkbox"/> INFORMATION DISCLOSURE
STATEMENT W/1449 | <input type="checkbox"/> POWER OF ATTORNEY,
REVOCATION CHANGE OF
CORRESPONDENCE ADDRESS | <input type="checkbox"/> STATUS LETTER |
| <input type="checkbox"/> RESPONSE TO MISSING PARTS/
INCOMPLETE APPLICATION | <input type="checkbox"/> TERMINAL DISCLAIMER
<input type="checkbox"/> SMALL ENTITY STATEMENT
<input type="checkbox"/> REQUEST FOR REFUND: | <input checked="" type="checkbox"/> ** ADDITIONAL ENCLOSURE(S):
Return Receipt Postcard; Transmittal Form (1 pg); Fee
Transmittal (1 pg) (in dup.); Letter (2 pgs.) plus Exhibit A -
Copy of NOMP (2 pgs); Exhibit B- Originally Executed
Declaration by Levine and de Beur (2 pgs); Exhibit C- Copy of
Declaration executed by Schiavi, Madden & Manavalan (2
pgs); Exhibit D -Copy of Date Stamped Return Receipt
Postcard; Exhibit E - Petition for 4 Month Extension of Time (2
pgs). |
| <input checked="" type="checkbox"/> RESPONSE TO MISSING PARTS
UNDER 37 CFR 1.52 OR 1.53
(SEE**) | | |
| <input type="checkbox"/> ISSUE FEE TRANSMITTAL | | |

REMARKS:

MCCUTCHEN, DOYLE, BROWN & ENERSEN LLP
THREE EMBARCADERO CENTER, SUITE 1800
SAN FRANCISCO, CA 94111
TELEPHONE: (650) 849-4950
FACSIMILE: (650) 849-4800

DATE: FEBRUARY 19, 2002

BY:

CAROL M. GRUPPI (REG. NO. 37/341)
ANTOINETTE F. KONSKI (REG. NO. 34,202)

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box: Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on this date: February 19, 2002

By:

Name of person signing: Nancy L. Hug

FEE TRANSMITTAL
FOR FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/909,775

Filing Date July 19, 2001

First Named Inventor Susan SCHIAVI

Examiner Name Unassigned

Group Art Unit 1646

Attorney Docket No. GZ 2065.23

TOTAL AMOUNT OF PAYMENT

(\$1,330.00

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

50-1189

Deposit
Account
Name

McCutchen Doyle Brown & Enersen LLP

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	x		\$
3**	x		\$
Multiple Dependent			\$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	\$1,440.0*
128	1,960	228	980	Extension for reply within fifth month	
119	330	219	160	Notice of Appeal	
120	330	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

*FEE IS REDUCED BY \$110.0, THE FEE FOR 1 MO.

Other fee (specify) EXTENSION OF TIME PREVIOUSLY FILED 12/05/01

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1,330.00

SUBMITTED BY

Name (Print/Type)

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Antoinette F. KinskiRegistration No.
(Attorney/Agent)37,341
34,202

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Signature

Date 2/19/02

WARNING: Information on this form may become public. Credit card information should not

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



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ORIGINALLY FILED

Serial No.: 09/909,775 Filing Date: 07/19/01
Client: Genzyme Corporation
Title: PHOSPHATONIN-RELATED GENE AND METHODS OF USE THEREOF
Docket No.: GZ 2065.23/Billing No 19442-7201 Atty. Initials: CMG:nlh
Mailed: December 6, 2001 Docket Due Date: December 6, 2001

The Following Was Received In The U.S. Patent And-Trademark Office On The Date Stamped Hereon:

- Return Receipt Postcard
- Transmittal Form (1 pg)
- Fee Transmittal (1 pg) (in dup.)
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